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7 UNITED STATES DISTRICT COURT
8 WESTERN DISTRICT OF WASHINGTON
9 AT SEATTLE

10 UNITED STATES OF AMERICA,

11 Plaintiff,

12 v.

13 SANTOS PETER MURILLO,

14 Defendant.

CASE NO. CR16-0113JLR

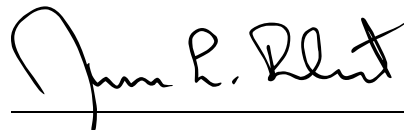
ORDER

15 Before the court are two filings that Defendant Santos Peter Murillo mailed to the
16 court, a Motion for Relief from Judgment and a Motion for Judicial Notice. The court
17 received the Motion for Relief from Judgment by mail on September 24, 2020, and the
18 Motion for Judicial Notice on September 25, 2020. The court did not file these pleadings
19 on the docket in this matter because the court appointed counsel for Mr. Murillo on
20 September 21, 2020. (*See* CJA Appt. (Dkt. # 143).) As such, Mr. Murillo may not file
21 *pro se* motions unless he complies with the requirements of Local Civil Rule 83.2(b)(5).
22 *See* Local Rules W.D. Wash. LCrR 1(a) (adopting Local Rules W.D. Wash. LCR 83.2(b))

1 for criminal proceedings); Local Rules W.D. Wash. LCR 83.2(b)(5) (requiring a
2 represented party that seeks to appear or act *pro se* to “request[] by motion to proceed on
3 his or her own behalf, certif[y] in the motion that he or she has provided copies of the
4 motion to his or her current counsel and to the opposing party, and [receive from the
5 court] an order of substitution by the court terminating the party’s attorney”); *see also*
6 *United States v. Halbert*, 640 F.2d 1000, 1009 (9th Cir. 1981) (“A criminal defendant
7 does not have an absolute right to both self-representation and the assistance of
8 counsel. . . . Whether to allow hybrid representation remains within the sound discretion
9 of the trial judge.”); *United States v. Durden*, 673 F. Supp. 308, 309 (N.D. Ind. 1987)
10 (citing *Halbert*, 640 F.2d at 1009) (exercising the discretion to decline to consider a
11 represented criminal defendant’s *pro se* motion). The court directs Mr. Murillo to contact
12 his counsel to discuss his current situation and the relief he requests.

13 Because Mr. Murillo improperly attempted to file his motions *pro se*, the court
14 STRIKES the pleadings and ORDERS them returned to Mr. Murillo.

15 Dated this 1st day of October, 2020.

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18 JAMES L. ROBART
19 United States District Judge
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